

NEW UTILITY PATENT APPLICATION TRANSMITTAL*(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))*Docket No.
23439-099-401Total pages in this
submission

TO THE COMMISSIONER FOR PATENTS
Mail Stop Patent Application
P.O. Box 1450, Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

EXHAUST OPACITY MEASURING DEVICE

And invented by:

Donald H. STEDMAN, Gary A. BISHOP, and Gary FULL

IF A CONTINUATION APPLICATION, check appropriate box and supply requisite information:

☒ Continuation of prior application No.: 10/093,714 filed March 11, 2002

Which claims priority to U.S. Provisional Patent Appln. Serial No. 60/318,574 filed 09/11/2001

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 39 pages and including the following:
 - a. ☒ Related applications
 - b. ☒ Field of the invention
 - c. ☐ Statement regarding Federally-sponsored research/development (*if applicable*)
 - d. ☐ Reference to microfiche appendix (*if applicable*)
 - e. ☒ Background of the invention
 - f. ☒ Summary of the invention
 - g. ☒ Brief description of the drawings
 - h. ☒ Detailed description of the drawings
 - i. ☒ Claims as classified below
 - j. ☒ Abstract of the disclosure

Application Elements (continued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 U.S.C. 113)
☒ Formal ☐ Informal Number of sheets: 9 (Figs. 1-9)
4. ☒ Oath or Declaration
a. ☐ Newly executed (original or copy) ☐ Unexecuted
b. ☒ Copy from a prior application (37 C.F.R. 1.63(d) (for continuation/divisional applications only)
c. ☒ With Power of Attorney ☐ Without Power of Attorney
5. ☒ Incorporation by reference (usable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer program in microfiche
7. ☐ Genetic sequence submission (if applicable, all must be included)
a. ☐ Paper copy
b. ☐ Computer readable copy
c. ☐ Statement verifying identical paper and computer readable copies

Accompanying Application

8. ☐ Assignment papers (cover sheet & document(s))
9. ☐ 37 C.F.R. 3.73(b) statement (when there is an assignee)
10. ☐ English translation document (if applicable)
11. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS citations
12. ☒ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☐ Certified copy of priority document(s) (if foreign priority is claimed)
15. ☐ Certificate of Mailing
☐ First Class ☐ Express Mail (Label No.: _____)
16. ☐ Small Entity claimed _____

Accompanying Application (continued)

- 17.
- ☒
- Additional enclosures (please identify below):

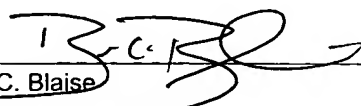
Application Data Sheet

Fee Calculation and Transmittal

The filing fee for this utility patent application is calculated and transmitted as follows:

☒ Large Entity ☐ Small Entity

<u>CLAIMS AS FILED</u>						
For	# Filed	# Allowed	# Extra	Rate		Fee
Total Claims	12	- 20 =	0	x \$18.00		\$0.00
Independent Claims	3	- 3 =	0	x \$86.00		\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>						
Other Fees (specify purpose):						
BASIC FEE						\$770.00
TOTAL FILING FEE						\$770.00

☒ A check in the amount of \$770.00 to cover the total filing fee is enclosed.☒ The Commissioner is hereby authorized to charge and Deposit Account No. 50-0311 as described below. A duplicate copy of this sheet is enclosed.☐ Charge the amount of _____ as filing fee.☒ Credit any overpayment.☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant

 Bradford C. Blaise
 Attorney Reg. No.: 47,429

Dated: February 3, 2004

CUSTOMER NO. 29315